

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ARTHUR DEAN SCHOTT,

Plaintiff,

v.

No. CIV-13-0123 LAM

**CAROLYN W. COLVIN, Acting Commissioner
of the Social Security Administration,**

Defendant.

ORDER GRANTING UNOPPOSED MOTION TO REVERSE AND REMAND

THIS MATTER is before the Court on Defendant's *Unopposed Motion to Reverse and Remand* (*Doc. 21*), filed December 18, 2012. After consideration of the motion and supporting Memorandum Brief [*Doc. 22*], the Court finds that the motion is well-taken and should be **GRANTED** and that:

1. Judgment should be entered reversing the decision of the Defendant and remanding this case to the Defendant for further administrative action pursuant to sentence four (4) of § 205(g) of the Social Security Act, 42 U.S.C. § 405(g). *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

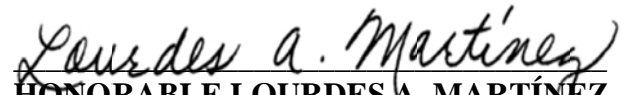
2. Upon remand, the Appeals Council shall return the case to an Administrative Law Judge (ALJ) who shall:

- (a) evaluate the medical evidence related to the period at issue;
- (b) provide a rationale in support of the residual functional capacity finding;
- (c) evaluate the credibility of Plaintiff's allegations;

(d) evaluate Plaintiff's ability to perform his past relevant work and, if warranted,

(e) obtain vocational evidence to determine the effect, if any, that Plaintiff's limitations impose upon his occupational base.

IT IS SO ORDERED.


HONORABLE LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE
Presiding by Consent

Submitted and approved by: (*Prior to modification by the Court*):

Electronically submitted on 12/19/13

MANUEL LUCERO, Assistant United States Attorney
Attorney for Defendant

Electronically approved on 12/18/13

Michael D. Armstrong
Francesca MacDowell
Attorneys for Plaintiff